

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

IN RE:

James Stanley Panus,

Debtor.

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Case No. 20-41182-can13

**OBJECTION TO CLAIM**

Comes now Movant, James Stanley Panus and hereby objects to the Proof of Claim filed by creditor, BSI Financial Services in the amount of \$529,662.85 on July 24, 2020. The court claim number is 7.

**Your claim may be reduced, modified, or eliminated. You should read this document carefully and discuss it with your attorney, if you have one.**

Pursuant to Local Rule 3007-1 (C), the Claimant shall have 30 days after service of the Objection in which to file a Response, if you do not want the court to eliminate or change your claim. The Response shall be in writing and state why the claim should be allowed as filed. If a Response is filed, the Court will schedule a hearing. If no timely Response is filed, the Court will enter an Order sustaining the Objection to the Claim. Parties not represented by an attorney shall mail a Response to the Court at the address below. Debtor(s) not represented by an attorney must be served a copy of the Response by regular mail. If your Response is mailed, it must be early enough so that the court will receive it on or before 30 days after service of the Objection.

The basis for the objection is as follows:

1. The claim lists the post-petition mortgage payments in the amount of \$2,734.91, which includes principal and interest of \$1,424.59, an escrow payment of \$1,616.27, and an escrow shortage payment of \$287.74.
2. The calculations of the escrow account are based upon the projection that the annual real estate taxes will be \$11,939.37.
3. The debtor appealed the assessed value of his property and was successful in his appeal and the real estate taxes have been reduced to \$7,518.31.
4. Debtor states that the post-petition mortgage payments should be \$2,672.44, which includes principal and interest of \$1,424.59, an escrow payment of \$1,247.85. There should not be an escrow shortage payment as all of the escrow shortages should have been included in the pre-petition mortgage arrearages.
5. The claim lists pre-petition mortgage arrearages of \$136,588.62, which includes principal and interest of \$71,229.50, pre-petition fees of \$4,696.92, escrow deficiency of \$57,429.96 and a protected escrow shortage of \$3,232.54.
6. Debtor states that the Jackson County collector's office has refunded \$4,421.06 to the mortgage creditor for the 2019 tax year due to Debtor's successful appeal of the assessed value of his property.

7. Debtor states the pre-petition mortgage arrearages should be \$131,421.02, which includes principal and interest of \$71,229.50, pre-petition fees of \$4,696.92, escrow deficiency of \$53,008.90 and a protected escrow shortage of \$2,485.70.

Date: \_\_\_\_\_

/s/ Tracy L. Robinson  
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Attorney for the Debtor

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Instructions: Complete all parts of the form and serve on the affected parties

ECF Event: Bankruptcy>Claim Actions>Objection to Claim (includes 30-day notice)